

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA.  
FILED  
For C'ville  
DEC 21 2005  
JOHN F. CORCORAN, CLERK  
BY: J. Jaraher  
DEPUTY CLERK

DATANATIONAL, INC.,

*Plaintiff,*

v.

YELLOW BOOK SALES AND DISTRIBUTION  
CO., INC., MICHAEL FORNEY, THOMAS BALL,  
STEVEN MERCHANT, CARY BUTLER, KAREN  
COULTER, AND ERIC GANNON,

*Defendants.*

CIVIL ACTION No. 3:05-CV-00035

ORDER

JUDGE NORMAN K. MOON

Before the Court are Defendants' Motion to Stay or Dismiss, pursuant to the Federal Arbitration Act, and a Motion to Strike Jury Demand/Objection to the Pretrial Order. For the reasons set forth in the accompanying Memorandum Opinion, it is hereby


ORDERED

as follows:

1. The Defendants' Motion to Stay or Dismiss shall be, and it hereby is, GRANTED in part and DENIED in part. Counts IV, V, and VII–XIII shall be, and they hereby are, referred to arbitration as to individual Defendants Forney, Ball, Merchant, Butler, Coulter, and Gannon. All other actions in the above-captioned case shall be STAYED pending the resolution of arbitration proceedings.
2. The Defendants' Motion to Strike Plaintiff's Jury Demand shall be, and it hereby is, GRANTED, and the Objection to the Pretrial Order shall be, and it hereby is,

SUSTAINED, although the Court may later order a trial by jury for any or all issues, or use an advisory jury pursuant to the Federal Rules. Fed. R. Civ. P. 39.

The Clerk of the Court is hereby directed to send a certified copy of this Order and the accompanying Memorandum Opinion to all counsel of record.

ENTERED:   
United States District Judge  
December 21, 2005  
Date